

3 (1)

CF-18

IN THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR

CIVIL REVISION NO. 76 /2006

Single Bench

APPLICANTS

1. Gangaram Yadav S/o Late
Mohanram Yadav, aged
about 55 years, Occupation
- Agriculturist

2. Bhagmaneya W/o Shri
Gangaram Yadav aged
about - 50 years,
Occupation - House wife

Both are R/o - Village -
Kardoni, P.S. : Lundra, Tah.
: Lundra (Head Office :
Dholpur) Distt, Surguja
(C.G.)

P.R. No. 2572/06
Presented by Shri 15/12/06
dated 12/06/06

VERSUS

RESPONDENT

No body

CIVIL REVISION U/S 115 OF THE CIVIL
PROCEDURE CODE

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक

C.R. 76/

सन् 2006

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	1 -	
	<u>21.06.2006</u> Shri Rahul Mishra, Counsel for the applicants. Heard. This is a Revision filed against the order dated 27/2/2006 passed in an unregistered miscellaneous proceedings attached with the M.A.C.C. No.16/2001 decided on 12/9/2001. By the impugned order, the learned Member of the MACT, Ambikapur has dismissed an application of the applicants which was filed for releasing a sum of Rs.2 lakhs from the fixed deposit made on their names in compliance of the award dated 12/9/2001 passed in the aforesaid claim case. It appears that in the said claim case, a sum of Rs.3,94,000/- alongwith an interest @ 9% per annum from the date of filing of the claim i.e. from 07/12/1998 till the date of award, was awarded as the amount of compensation to the applicants on account of death of their son and the entire amount was directed to be deposited in the fixed deposit with the Nationalized Bank. Thereafter, on 14/10/2004, the applicants were paid a sum of Rs. 2 Lakhs on account of certain necessities, which is mentioned in para 3 of the impugned order and thereafter again, the applicants filed an application for releasing a sum of Rs.2 Lakhs on 8/12/2005 (Annexure A-2). It is this application, which has	

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विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित 2	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	been dismissed by the Tribunal, against which; the applicants have filed this Revision. Learned counsel for the applicants submits that the applicants are aged about 50-55 years and it is their amount, which is kept in the Bank and if their own amount is not permitted to be withdrawn in their own interest, it shall amount to denial of justice and the applicants shall face a great hardship. I have perused the contents of the application (Annexure A-2). It appears that the applicants have demanded this amount for performing the marriage of their sons namely Ravish Kumar and Santosh Kumar and they have also demanded this amount for repairs of their old house, which according to the applicants has been dilapidated. It is further stated that some new construction is also to be raised by the applicants and all this would cost about 2 Lakhs. The applicants have demanded a sum of Rs.1 Lakh for the purpose of marriage and Rs.1 Lakh for the purpose of repairs and re-construction, as mentioned above. In the opinion of this Court, a reasonable amount should be paid to the old parents of the deceased. If the amount is not utilized by them in their lifetime, it shall be an useless asset for them. In the facts and circumstances, I deem it proper to pass a direction to release a sum of Rs.1 Lakh to the applicants	

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आदेश पत्रक

मामला क्रमांक C.R. 76/06 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित - 3 -	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	out of Rs.3,63,977/-, which is said to be the balance on the names of these applicants, as stated by learned counsel for the applicants. Let Rs.1 Lakh be disbursed to these applicants in accordance with law by the concerned Claims Tribunal. The fixed deposit of the rest amount shall continue as it is. The petition stands disposed of.	Sd/- Sunil Kumar Sinha Judge

[पीछे देखिये]

23-6-06